THE EXAMINER.

No. 61. *SUNDAY, FEBRUARY 26, 1809.*

THE POLITICAL EXAMINER.

Party is the madness of many for the gain of a few.
SWIFT.

No. 61.

CINTRA CONVENTION AND ITS CONTINGENCIES.

THE nation at large has long ago settled it's opinion respecting the Cintra Convention, and every subsequent act of the higher powers has only tended to confirm that opinion. The public curiosity respecting the debate on Tuesday looked merely to the numbers that might divide for or against Ministers: people knew very well that the Opposition, considered *as* an Opposition, could say nothing against the measure that has not already been said over and over again, or rather that they could not, because they dared not, say so much: they knew very well, that Lord HENRY PETTY would put the question with just as much truth as would shew that he was fighting for place and not against it, and that Lord CASTLEREAGH would answer with just as much insolent falshood as would prove his defiance of common sense.—The division, or in other words, the mere question how far Placemen in the House of Commons could prevail, was the old miserable object to which the nation looked, as it has been accustomed to do for some years past, with a mixture of sullen and of frigid curiosity, the result of long corruption in the Senate and still longer patience in the people.

Things however have literally become so bad, that it requires more than ordinary talents to give them any tolerable gloss; a few hard scratches at the superfices shew at once the rotteuness of the foundation on which the welfare of the State depends at present for support, and as the recent inquiries, BEGUN BY THE PEOPLE *and followed up by one or two of their real Representatives*, have shewn the potency of simple truth by threatening the existence as well as exposing the weakness of the Ministry, men who at all value their character for common thinking cannot but side with the nation on cases flagrantly manifest, corruption every day sinks faster into a state of dotage that threatens it with a loss of it's common gains as well as common faculties, and the consequence is, that on the first debate that affected the Parliamentary influence of the Ministers, they have carried the question by a majority of fifty only, in 203 to 153.—Shame as it is to the people of this nation, that their universal opinion cannot obtain the sway among their Representatives, even the present instance of something like an opposition, powerful when it has truth on it's side and then only, is a consolation to reviving independence.

Lord HENRY PETTY opened the debate with a clear statement of many unhappy facts, such as the irresolution of Ministers in point of time and in point of object, the totally inadequate equipment of the expedition, particularly as to provisions and cavalry, the supersession of the Generals, the mortifying contrast of BONAPARTE's political and military tactics, and the miserable farce of the Board of Inquiry. The answer of Lord CASTLEREAGH to these facts was really, though it came from that Noble Lord, in a singular style of barefaced shuffling. The first artifice of this man of feeling is to affect an extreme candour by going beyond his accuser in pointing out other probable grounds of accusation, by which means he endeavours, 1st, to confound what he *has* done properly, or that of which he is *not* accused, with what he has done ill, or that of which he is accused; and 2dly, to throw an imputation of suspicious caution on the silence of his accuser with respect to the former points. Out of a little that is granted he therefore makes a great deal, and draws off the attention of the House with a kind of jocular appeal to their pathetic feelings, as "a very ill-used Gentleman." This artifice occupies at least one third of his speech as reported in the newspapers. Another third is taken up with the exercise of his old talent, flat contradiction. Thus in spite of what every body else, whether ministerial or not, has acknowledged,—in spite of all those who were eye-witnesses of the contrary, and in spite of his gallant Friend, Sir ARTHUR WELLESLEY himself, who attributed the escape of the French after the battle of Vimiera, and in fact the Convention itself, to the want of cavalry, he asserts that the cavalry were quite sufficient for the purpose, *because* they were equal in number to those of the enemy. I need not say, that this singular assertion is utterly without proof both in point of reasoning and of fact. As to the artillery horses, which have been invariably represented by all the creditable eye-witnesses, who could have neither face nor policy in denying the fact, as at once blind, lame, and sick, the Noble Lord tells us, not only that they were more than sufficient and the best of any, but adds, with an air quite degagee, that they were *very* much *admired* by the French. "'Pon honour," I suppose;—"very much admired, 'pon honour!" Blind to be sure, but don't mention it: lame and sick, but let that rest; "they were very much admired by the French." His Lordship however does not tell us *how* the French admired them, or what they said, or who heard them. Is the Noble Lord aware that there is an admiration not only of amazed liking, but of *amazed dislike*? People, for instance, admire the conduct of Mr. WARDLE, and at the same time they cannot but admire that of the Duke of YORK; people admire the wit of SHERIDAN,

and they admire how much he has taken to drown it: in short, the more people admire sound honesty, and sound reason, the more they admire the impudence of Lord CASTLEREAGH in giving the lie to both. The French are wags, and I will not answer for what their shrugs or their stares might signify when they beheld our admirable horses. The Noble Lord, by a very Irish figure of speech, calls these prepossessing palfreys his *Countrymen*. His Lordship is certainly at liberty to make a beast of himself, as wittier Irishmen have done before him, for the sake of a comparison; but how far the Irish may deserve or take his compliment, remains to be discovered. He may know, indeed, how far torture has rendered them lame, and he may have good reason for thinking that the government of himself and his old colleagues has made them sick; but let him be assured, that they are neither blind, nor likely to be so in times like these. However, whether the artillery-horses were good or bad, admirable or contemptible, his Lordship at the close of his panegyric, tells us, with a feeling obvious enough, that "it by no means followed, that an army was useless, even without horses;" and this tangent brings me to the third characteristic of his Lordship's logic, a fondness for inapplicable precedent. "Often," says his Lordship, "when we went to war in insular situations, we had no artillery-horses. In Egypt we had but 150, and the same was the case when Sir RALPH ABERCROMBIE was in *Holland*."—With respect to the supersession of the Generals, he thought it was hardly possible that in *any* extensive military operations the chief command should not change hands," as for instance, "in the Low Countries it happened that on one occasion, within the period of 48 hours, no fewer than four such changes took place;" and on the subject of Courts of Inquiry, he settles the question by telling us "that Boards of Inquiry have been adopted in the most important periods of our history." Now what have all these precedents to do with *different countries*, *different times*, and of course *different means*? The question is, not whether there is a precedent for having few horses, or no horses, for superseding Generals in a few hours, or for instituting Boards of Inquiry, but whether the thing is right or wrong, seasonable or unseasonable. There are precedents "in the most important periods of our history" for wearing perukes all over one's shoulders; but that is no reason why I should dress like a madman. The Noble Lord is fond of drawing his inferences from German example: I wish to God he would draw great instead of small ones, and then he would learn to remember, not how many Generals, or how many pig-tails the Austrians have had in a campaign, but how many campaigns they have lost, with all their Generals and their pig-tails too. Did BONAPARTE supersede JUNOT twice in the space of two days? Did he supersede SOULT the other day? Does he supersede AUGEREAU, in one place, LEFEBVRE in another, and BERNADOTTE in another? Do his Generals miss their victories or their men for want of horses or provisions? No; and why, my Lord CASTLEREAGH? You know very well you would shake to give the answer? It is because he gives no military offices to mere interest and want of talent; it is because he uses every possible foresight and ability that he can command: because he even makes use of the chemical talents of his subjects at once to simplify and strengthen the means of subsistence, and makes unity of object the forerunner and the surety of multiplicity of attainment. Thus every new campaign gives him new military glory, and a new crown, and takes away just as much of the one from us, and of the other from our Allies. Oh! that we should have justice on our side, and see her thus violated by folly? Oh! that wisdom should loudly lift up her voice in our streets, and be thus treated by a set of idlers calling themselves the King's Servants, who first neglect her from pride, and then insult her by precedent!—"Was it nothing," cried his Lordship, "in a short campaign of three weeks to have taken possession of a country of great strength; to have defeated an army of 25,000 men, to have liberated a whole country from the grasp of our enemy, and to have restored it again to its own people?" No; it is nothing, nay it is worse than nothing, if we are to lose not only the great object of all this acquisition, but also the acquisition itself, if we are to defeat an army merely to send it forth to beat us on another and more important occasion, for which very occasion we defeated it. In a campaign of a few weeks BONAPARTE not only gains countries, but keeps them for ever, and not only keeps them, but takes away so much strength from his enemies. I am sure if we had suffered the French to keep possession of Portugal, we might have been defeated with quite as much applause in the North of Spain as we have been; yet the Portuguese expedition, we are told, was for the sole purpose of better assisting the Spaniards, and it is upon this sole ground that the defence of the Convention is rested. If the end, therefore, has been unattainable by these means, as it is now proved to have been, the means certainly must have been inadequate. BONAPARTE was not to be defeated at Lisbon, even though we had three Commanders one after the other. But if the noble Lord's practice proves that he could do nothing at Lisbon, he went out of his chain of reasoning to shew us that his theory could do nothing in Spain. Lord HENRY PETTY had said, that the Ministers at the commencement of the Spanish war had by chance three disposable forces to assist it, one in Ireland, one in the Baltic, and one in the Mediterranean; and that the Ministers should have immediately sent these forces to the seat of war. How does Lord CASTLEREAGH answer these facts? With his usual barefaced shuffling. He allows the situation of those forces, but argues in the first place, that nobody could expect them to meet together for the purpose of proceeding to one place, whereas nobody talked of expecting this; but are there no such thing as orders? His Lordship can send out orders to supersede his Generals; he can send out orders to batter down friendly cities; and why could he not send out orders to form a junction? Granting however that this junction could have been effected, he laughs at the inadequacy of the whole force for the reduction of the Pyrenees, as if Lord HENRY meant that *no more* should be sent with them. "How," he cries, "could 25,000 men contend for the Pyrenees with 100,000 men in Spain, and 400,000 in France?" How indeed, and yet he sent out a very few more to conquer all France, even at Lisbon. The man takes a delight in condemning himself from his own mouth. So far from thinking a force of 25,000 men adequate for the seizure of the Pyrenees, it is the universal public complaint that the military force of this country, the one hundred and fifty thousand men whom we keep for our defence and honour, with twenty three millions of money annually, a sum drawn from us like the Jew's teeth from his head, were not better employed on that most important, that all-involving occasion. One is at a great loss

to imagine what the Noble Lord can mean, when he says that these 25,000 men would have had to contend with 100,000 men in Spain, and 400,000 *in France*. From the middle of August to the latter end of October, at least two months and upwards, the 100,000 men in Spain could hardly manage to keep their post in the Pyrenees even against the Spaniards, and for at least three months previous the 400,000 men of whom his Lordship *now* talks, were in effect scattered at a distance, and about Germany, and evidently could not be brought to the scene of action. At that time, let the reader remember that Lord CASTLEREAGH and his colleagues were talking of the amazing opportunities offered them, of the desperate situation of the French, and of the exquisite probability of defeating BONAPARTE at Lisbon. Now when the result is reversed, they of course reverse the picture, and endeavour to prove that there was no hope, even for British soldiers, at the Pyrenees, and that nothing could be done there even with the assistance of the Spaniards. With what face can they reconcile these gross contradictions? With what face can they tell us at one time, that the Spaniards could beat the French with ease at the Pyrenees, and at another that the Spaniards and English together could not have beaten them? Lastly, with what face can Lord CASTLEREAGH conclude his panegyric on blind horses and blinder men, by saying, that "if the victory and armistice had come together every thinking man would have received the matter differently," and that the general dislike of the Convention was "*a heated and hasty feeling which the public had suffered to be too much indulged?*" I beseech the Public not to forget these words. They are quite in character with this man. He is one of those shallow and self-sufficient boasters, who like true slaves have got the manner of their master without his mind, and who stupidly think to gain that respect which was paid to the superior intellect of Mr. PITT, by dealing out now and then a disdain of public opinion. His Majesty, in his answer to the City of London, allowed us to be "disappointed in our hopes and expectations" if we pleased; the Ministry in echoing his speech allowed us to be disappointed too; and yet at last here is one of the King's servants—telling us that we are a parcel of hasty, hot-headed fellows, who cannot distinguish between what is good for ourselves and good for our enemies! We cannot retort the charge of feeling, however we may retort that of ignorance. Rash his Lordship may be, and rash he is in talking and acting as he does; but as for quick and glowing impulse—cold must be that intellect which can imagine thus of the warm jealousy of patriotism; and cold must be that heart which in the midst of all that should create shame and mortification can indulge in frigid jests and most deliberate contradiction.

The defence of the Ministry by Sir ARTHUR WELLESLEY would have been much more ingenious, had not the pride of this gentleman, in spite of itself, been a party accusing. The gallant Secretary, (another Placeman in Parliament) has been employed and flattered by Ministers, in the midst of all their inconsistencies, and so far he wishes them well, and would defend them: accordingly he supported their measures with regard to the idea of fighting the French in Portugal, and speaks in as courtly a manner as the nature of his situations, civil and military, would incline him: but the "admirable horses" were unfortunately a subject of complaint with him in his dispatches, and he could not defend them without the old plea, that the Ministers were led into an inadequate armament by the information of Sir CHARLES COTTON. Now in the first place, he is even thus far obliged to contradict Lord CASTLEREAGH, who had been arguing that the expedition was adequate to all the ends proposed, leaving Sir CHARLES out of the question; and in the next, badly as the Ministers acted, they did not act upon Sir CHARLES COTTON's information, as the public very well know. Sir ARTHUR therefore has recourse, by way of irrefragable logic, to that grave jest which has already afforded so much subject for laughter; and tells us, that the worse the service was likely to be, the poorer the horses should be to go through it. Of course the Laplander chooses his worst rein-deer for a difficult journey, and the Arabian his worst camel:—if the beast dies, and leaves his master to die in the desart, it is such a satisfaction to the man in his last moments, that he left his best animal at home! What a pragmatical fellow was that JOHN LOCKE, who said that wrong was not right! "The loss of a good ship," says Mr. WINDHAM," is a greater loss than that of a bad one, but then a good ship is less likely to be lost than a bad one:" this is good reasoning, but it is not ministerial, and what is not ministerial, must be bad, so that good and bad move in a circle with our logical governors! It is amazing to me that they did not send out the worst men that they could find. What! send out the best men, poor fellows, to be sea-sick and perhaps to faint with fatigue, while the best horses (Heaven preserve their hides) were revelling in the stable! I cry mercy of our political naturalists, but I always thought till now that man was a nobler animal than the horse. I now see what country it was in which GULLIVER found his *Houhynms*. To be sure the French escaped, says Sir ARTHUR, for our want of cavalry; but then our *best* horses are safe at home! Glory was snatched from us for want of cavalry, but then Heaven be praised, we have preserved our *best* horses! Many an Englishman has since lost his life in consequence of our disasters in Portugal, but then, lucky souls as we are, we have preserved our best horses; and while the French scour the country round Madrid on the most horrid hacks you ever saw, there is my Lord HAWKE, the noble whip, the descendant of the naval conqueror who scourged men instead of bay-mares, driving his coach and four about the West end with the *best* horses in the world!—If Sir ARTHUR, however, cannot make out a very proud case with his horses, still less proud can he be of the Generals that superseded him, and upon that point the Gallant Secretary raises his head and with as much politeness as he can muster flatly differs with the Noble Secretary. The Court of Inquiry also he entirely gives up, and says that "as far as he was concerned, this Court, *without meaning to blame any of the Members*, had been a source of injustice; he therefore hoped it would be the last Court of the kind by which the conduct of officers should be investigated." What says my Lord CASTLEREAGH to all this?—What, has the conduct of Ministers been so grossly inconsistent that even a brother Placeman, notwithstanding all the flatterings and fawnings that have been used to soothe him into forgetfulness and forgiveness, gives their statements a direct contradiction! Even the CHANCELLOR of the EXCHEQUER had little more to say than that he approved the conduct of his Majesty's Ministers, that he did not care for any man's opinion about Courts of Inquiry, and that he was *determined* to vote for the previous question; but as to Mr. CANNING, that last remaining "literary and political warrior who was to retrieve the for-

tunes of the day," he fairly gave up the whole of the political articles of the Convention, and was "ready to say, that the Convention disappointed not only the hopes and expectations of the country, but that those hopes were well founded." Here is a direct contradiction of Lord CASTLEREAGH's opinion, and here also is a convincing proof that the Ministerial Councils have jarred, a circumstance at which no thinking man will be surprised, and no lover of reform be sorry. Of all the speeches in the House, Mr. WHITBREAD's was the only one that deserved a marked attention: it had not only the pleasantry of Mr. WINDHAM, the calculation of Lord GRENVILLE, and the classicality, if you please, of Mr. CANNING, but it had a nerve of truth running through it that no flippancy could snap, and what is more, that no party bias could warp. Little as there is in general to lament in the short work which a Weekly Paper necessarily makes of the Parliamentary Proceedings, we still regret that our limits do not enable us to grasp all the truth and beauty of his reasoning. Whatever may have been the former party feelings of this Gentleman, he has always manifested a contempt of place-hunting, and for a few days past he has exhibited a manly, though temperate, sympathy with the love of reform, that ranks him among the very few modern Senators who sustain the old English character. Not that I am one of those who are fond of finding a total degeneracy in every age in which they may happen to live; so far from it, I think the times are as promising in some things as they are desperate in others; but with all the accumulation of reason and reputation from which we might have drawn lessons for many years previous to the present era, an Englishman ought to blush when he considers, that till very lately, there was a more dignified and independent voice in the House of Commons even during the bestial tyranny of CHARLES the 2d.

If the Ministers are checked or humbled in the course of their present desperate career, let the public give the victory where it is due, to the power of truth and common reason, and not to any *Opposition* politically so called. As far as Lord H. PETTY went, he was as "convincing and comprehensive" as Gen. TARLETON pleases: (what, SAUL also among the prophets?) but he did not strike at the root of all our disasters, he mentioned not a word of useless places and all that humiliating etcetera which has beguiled and baffled us so long. Mr. WHITBREAD, in the debate on the East India Committee, a Committee which is to consist of the families and friends of the men, and even of the men themselves, under judgment, and which is therefore as gross a farce as if the Proprietors of this Paper were to try themselves for the alleged libel against the Duke of YORK, said that the constitutional feeling towards men in place was and always ought to be *distrust*. When do you hear sentiments like these from the mouths of the Foxite place-hunters?—I trust the public are convinced by this time, that these mere Oppositionists are as fond of concealments as the most secret service-man on the other side of the question. They make the matter a dispute about talent, they say this is wrong, and that is wrong, and probably they make out a clear and comprehensive case, but they lose, or rather they dare not use the soundest part of the argument—principle: if such a thought is ever on the point of coming from their mouths, it is dragged back by a sudden conscious recollection of their *former* actions and principles; and thus the Public may be assured, that from men who, notwithstanding they have so much to tell, have also so much to hide, no pure government is to be expected, no constitutional reform is to be expected. What signifies it to the nation, whether Lord CASTLEREAGH or Lord GRENVILLE has the greater genius for misleading us? We want neither of them; though if we were compelled to put up with one of them, it would be better perhaps to chuse Lord CASTLEREAGH; for if Lord GRENVILLE has fifty times the political genius, he is for that very reason, under all his party circumstances, fifty times the more dangerous of the two. Lord CASTLEREAGH has at least the more useful talent of exposing himself; and if he will have his nine relations in office, there is no dispute but my Lord GRENVILLE will have his nine too. From all which alternatives GOD, in his infinite mercy, deliver this struggling nation.

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IMPERIAL PARLIAMENT.

HOUSE OF LORDS.

Monday, Feb. 20.

The Bills on the table were forwarded each a stage.—Adjourned.

Tuesday, Feb. 21.

The Malt and Pension Duty Bills were read a third time and passed.—Adjourned.

Wednesday, Feb. 22.

The Equity Debtor's Relief Bill was read a third time and passed.—Adjourned.

Thursday, Feb. 23.

The Militia Inlistment Bill was read a third time and passed. Adjourned.

Friday, Feb. 24.

The Irish Militia Bill was brought up and read a first time, after which the House adjourned to Monday.

HOUSE OF COMMONS.

Monday, Feb. 20.

The House resolved itself into a Committee of Supply.

The SECRETARY at WAR apologised for the Estimates not having been printed until this afternoon. Still, however, he should rely upon the indulgence of the Committee, as he merely designed to move for the sum requisite for the present establishment of the Army, excluding the Militia, the Local Militia, and the Foreign Corps. In some of these departments the expence had been greater than that of last year, arising principally from the losses we had sustained in Spain. There were a few trifling additions to the estimates, which were not new charges. These were principally second Lieut.-Colonels having been added to the regiments of the line. There was likewise the expence of augmenting the Militia, and the increased establishment of the Foreign Corps. He concluded by moving, that 132,922 men be granted to the land forces, from the 5th of December, 1808, to the 5th of December, 1809; and for defraying the expences of the same, the sum of 7,587,378l.—The rest of the Estimates, he said, would be moved for on a future day.

THE COMMANDER IN CHIEF.

Mr. WHITBREAD said, they were going to examine witnesses from the Bank and Post Office, who knew nothing whatever of the hand-writing to be proved. They were to compare and to determine by comparison which was the feigned and which the original writing. This he thought most exceptionable testimony, and which had indeed been overruled in the Courts below.

Mr. PERCEVAL observed, that the objection should have been made before the House had determined on calling such evidence.

Lord FOLKSTONE said, he came prepared to make the same objection, in which he had been anticipated by the Hon. Gen-

tleman below him; and he must observe generally as to this kind of evidence, that whenever it had been resorted to, it was always in the case of its being the best evidence that could be obtained on the subject. Mrs. Clarke had given a direct testimony, and if Gentlemen would seriously and carefully attend to the whole of her evidence, it would appear to be as correct, fair, and honourable testimony as could be given. Four Gentlemen of honour had been examined on the point in question, who all agreed that it was so like the Duke of York's handwriting, that they believed it to be his.

Mr. WM. SMITH thought the witnesses should be examined. He was of opinion that a Commission, which had power to examine upon oath, would have been a preferable mode to the one now adopted. It appeared to him that an investigation into the conduct of the Duke of York ought in such a case as this to be conducted in the same manner as that of any other subject—for, if not, it would clearly follow that none of the Royal Family ought to hold any public situation. He thought the House of Commons ought to have the power of examining on oath as well as the House of Lords, and he hoped to see the day when the distinction in this instance would be done away.

Dr. Metcalf, Mrs. Clarke's medical attendant, stated that Mrs. Clarke was so much indisposed, that she could not appear at the bar this evening.

Mr. Johnson, Inspector of Franks in the Post-Office, was then called in. The two undoubted letters of the Duke of York and the small note respecting Major Tonyn, being shewn him, the witness said that he thought they were all in the same handwriting.

Mr. Searle, the Deputy Inspector, also thought they were all in the same hand-writing.

Mr. Nesbitt, of the Bank, did not think they were in the same hand-writing. There was a stiffness in the writing of the note which did not appear in the letters. The witness, however, had observed a difference in the hand-writing of a person before and after dinner.—[*A laugh.*]

Mr. Hitchfield, of the Bank, thought there was a correspondent similitude [*laughing*] in them all. He had no doubt that they were written by the same person.

Mr. Bliss, of the Bank, was of the same opinion.

General Clavering appeared at the bar, at his own particular request, in order to correct some mistakes in his former testimony. The General said, "the first question in which I find myself to have been mistaken was relative to any conversation which I ever had with Mrs. Clarke upon military promotions. I do assure this Committee that I understood from the interrogatory that *personal communications* were alone intended by that question, to the total exclusion of any *epistolary correspondence*. The second question was as to my opinion of the influence exercised by Mrs. Clarke for the promotion of other officers. I did give as my opinion that I knew not of such interference on her part, at the same time that I considered the question directed to *others*, and not at all to *myself*." The General was then asked several questions. He confessed that he had made two applications to Mrs. Clarke to urge her influence with the Duke of York in his favour. He believed Mrs. Clarke knew of what was passing in the War-Office through the Commander in Chief, and would afford him the information he sought. He wanted to raise a regiment, and told Mrs. Clarke she should have 1000*l.* if he were successful. Mrs. Clarke wrote him word that the Duke scouted the idea, and he therefore doubted the extent of her influence with the Duke. He believed, however, that Mrs. Clarke could give military information from her connection with his Royal Highness. In a conversation with Mr. Lowten, witness told that Gentleman that he particularly wished to avoid being called to the bar of the House; but Mr. Lowten thought it necessary. He did not tell Mr. Lowten of his offer to Mrs. Clarke of 1000*l.* Being asked how he could reconcile his previous evidence,—that he was a voluntary witness,—with his present statement? the General replied, that Mr. Lowten urged it, and he complied. He was anxious to shew that he had not obtained his promotion by undue means.—The witness being ordered to withdraw,

Mr. W. WYNNE observed, that the Hon. General had degraded himself by the grossest prevarication, and though it was a painful duty, he should move that Gen. Clavering had been guilty of gross prevarication.

Gen. MATHEW hoped his Hon. Friend would not press his motion: he had listened attentively, and could not say that there had been any prevarication.

Mr. WHITBREAD, although alive to the feelings of friendship, by which his Hon. Friend (Gen. Mathew) was actuated, still could not, in regard to the dignity of that House, sacrifice the paramount demands of justice.

Mr. PERCEVAL was not zealous to cover Gen. Clavering, but he did not believe (although between his letters and his verbal testimony there existed contradictions) it could be proved that he had prevaricated.

Mr. WYNNE perspicuously contrasted the various parts of Gen. Clavering's testimony, in order to justify his motion, and concluded with admonishing the Committee, that the country would put an injurious construction upon that system which would vent on the same misconduct, in humble life, that severer measure of punishment, the infliction of which on the higher rank of delinquents it would oppose.

Mr. BRAND considered some of the answers of the witness worse than prevarication. They were studiously equivocatory, with no other object than to deceive.

Mr. YORKE spoke of a future day of reckoning, when persons to whom he applied many strong epithets, would be brought to a strict examination. Until that period, he conceived, the decision of the present case ought to be suspended.

Mr. WILBERFORCE said, if called on at the present moment, from his own impression of the case, to determine one way or the other, he must determine against the witness. When he recollected, however, that the witness came forward of his own accord to correct his statement, he felt disinclined to judge of his conduct too rashly. He should therefore be better pleased that the question should be postponed.

Mr. C. W. WYNNE declared that the moment he understood any Hon. Member to wish farther time to decide on any question, he could have no inclination but one, and that was to postpone the discussion. He should with pleasure concur in the withdrawing of it at present; and should give notice of a motion on the subject when the charges should have come under the consideration of the House.

Mr. WILBERFORCE hoped the Hon. Member had not withdrawn his motion, but that he had only postponed it.

Mr. Greenwood wished to correct his former evidence respecting Mr. Elderton. The unfavourable reports concerning that gentleman, he said, were not received till *after* his appointment had taken place.

Mr. Town, the velvet painter, was again called in. He repeated what he said on his former examination, that Mrs. Clarke told him she could forge the Duke of York's handwriting, and had done so. Witness had been examined as a witness at Clerkenwell Sessions, on which occasion Mr. Alley said he ought to be punished for his testimony; but no indictment had been preferred against him for perjury.

Mr. ADAM took occasion to call for the correction of a part of his evidence. He had stated that the Duke of York had said to him, that his Royal Highness had not recollected to have ever written to Mrs. Clarke upon military matters, and that if he did, it was *very rarely*. Omitting the last sentence, he observed, that his testimony was correct.—*Q. by Lord Folkstone.* Did the Duke of York state to you that he never wrote to Mrs. Clarke upon military matters? *A.* His Royal Highness did certainly state to me, that he never wrote to her upon military matters, unless in answer to some questions in a letter from her upon that subject. His Royal Highness said to me, that Mrs. Clarke did propose to him something with regard to military promotions, early after his acquaintance with her, but his Royal Highness told her that he could not listen to such a proposition, and he never afterwards heard any more of it.

Mr. Parker, the pawnbroker, was the last witness this day. He had frequently discounted bills for Mrs. Clarke. One for 410*l.* was taken up by a draft of the Duke of York, dated forward three months: for another, he had received an acceptance

of the Duke for 2301. Mrs. Clarke frequently pledged goods with him.

The further proceedings on this business, owing to Mrs. Clarke's indisposition, were postponed till Wednesday.—Adjourned.

Tuesday, Feb. 21.

Mr. BANKES reported from the Committee appointed to enquire into the Affairs of the East India Company, that John Annesley Shee, in giving evidence before the said Committee, had been guilty of gross prevarication. He then moved, that the said J. A. Shee be taken into the custody of the Serjeant at Arms, and be brought before the Committee from time to time, for the purpose of being examined.—Ordered.

Lord TEMPLE wished to know when the returns of the killed, missing, &c. in Spain, would be ready to be laid before the House.

Lord CASTLEREAGH said the Returns were not as yet received.

CINTRA CONVENTION, &c.

Lord H. PETTY brought forward his promised motion respecting the Cintra Convention and the Campaign in Portugal. Though he by no means undervalued the importance of the Inquiry now pending, and though the circumstances to which it alludes were most unfortunate, yet they would be still more so were they to induce the House to suspend its attention from foreign concerns. The Court of Inquiry which had been held, he deemed wholly irreconcileable to the principles of policy, as well as of law and equity. The Court could only look to the conduct of the military officers employed, not to that of the Ministers who directed that conduct. His Lordship proceeded to give a history of the campaign, already completely before the public, and maintained that Portugal was not worth contending for, though the capture of the French army there, with the Russian fleet, might have been a legitimate and laudable enterprize. But this, it appeared, was not the object, for after wavering for a long time on the coast of Spain, without any fixed plan, the expedition to Portugal was undertaken at the desire of the Junta of Gallicia! So, after all the talk about the objects of this expedition, it appears that we did not act upon a plan of our own, but a provincial Spanish Junta is selected as the adviser of his Majesty, to direct where his troops are to be employed! Ministers are told that only 4000 French troops were in Lisbon, though every city merchant well knew that 40,000 of the enemy had entered Portugal, and without any certain information, they immediately send their whole force into that country. The expedition then proceeded, but without a sufficient proportion of cavalry, and with a wretched supply of old, lame, and blind artillery horses. Sir Arthur Wellesley, as the Chief in command, landed at Mondego Bay, and made his dispositions accordingly; but in three days after, he is superseded by Sir H. Burrard, and after him comes Sir Hew Dalrymple to supersede both Sir Arthur and Sir Harry! Having thus sent out two officers who knew nothing of the country to set aside one who did, the Noble Lord (Castlereagh) then concludes with an exhortation to harmony: having put the whole instrument out of tune, he particularly recommends them to be in harmony; and we all know what sort of harmony was produced. The Noble Lord was equally conspicuous for his economy. Though Portugal cannot feed herself for more than seven months in the year, yet he told the Commanders that they must look to that country for a supply of provisions. But though Sir Arthur had been let down to the seventh in command, the Noble Secretary sends a letter to Sir Hew informing him that though Sir Arthur had been superseded, yet that they were to take their orders from and obey him. One General commences the campaign, another interferes, and a third concludes it! Under all these circumstances, a Convention is concluded, which carries the French army by the best route to the Pyrenees,—and which disappoints the hopes and expectations of the people. It arose from the want of cavalry, and the want of instructions, and therefore Ministers were alone to blame, and not the officers employed. "Who then" (said Lord H. Petty) "will this night vote that this army was properly directed; that this army was properly equipped, with lame, blind, and sick horses for the artillery; that it was proper to send out this expedition without instructions?—Those who think so, I am sure, will not act the most manly part if they come to such a decision. Upon whom, then, is the humiliation to fall?—Who will not say that this is most instructive for the present, and most important for the future?"—The Noble Lord concluded by moving, "That the Convention of Cintra, and the Maritime Convention in the Tagus, in September, 1808, had disappointed the expectations of the Country." He then intimated, that if his first motion was agreed to, he should follow it up by moving, "That the cause of these circumstances arose from the misconduct of his Majesty's Ministers."

Lord CASTLEREAGH justified the conduct of Ministers. He said that Spain had concurred in the necessity of expelling the French from Portugal, rather than that a stand should be made in their own country. It had been said that the British force (then only 25,000 strong) should have been sent to the Pyrenees to have seized the passes; but there were at least 43 military passes, and the enemy had then in the peninsula 100,000 men;—40,000 at Burgos, 25,000 in Portugal, 22,000 in Andalusia, and several bodies in Barcelona and other places. With an army in France too of 490,000 men, what would have been the result of such a Quixotic expedition? If the expedition therefore could not go to the desired point in Spain, what option remained but Portugal? The Noble Lord (Petty) had talked of a want of cavalry, of artillery, and provisions: no expedition ever sailed from this country better supplied with provisions: it was supplied for five months: the impediments in the supply arose from the roads, not from want of provisions. With respect to the specific equipment, the returns would shew that every means were taken to afford the facilities: they had tents, ammunition, and in short every species of military supply. As to the artillery horses, to be sure the Noble Lord rather coloured that description. He had stated that only 300 horses were sent from Cork, when in fact the Noble Lord had shut his eyes to the reinforcements from this country. The gallant General left Mondego Bay fully prepared to execute the service upon which he was sent, viz. to possess himself of Lisbon and the forts on the Tagus. A great deal had been said about the horses of the artillery, instead however of being only 300 horses, there were 678 additional artillery horses sent out; and he should beg leave to say a few words presently about these horses, his *countrymen!*—[*A laugh.*]—He should most certainly defend his Irish friends, as a great deal had been said in disparagement of them. These Irish horses were so good, that on their arrival in Lisbon the Portuguese were very anxious to have them on that or any other occasion. In fact, instead of there being only 300 horses there were nearly 1000. The Noble Lord then went on to defend the horses from the imputation cast upon them, and observed, that in former expeditions the same complaints existed. To Egypt the late Government had only sent 150 horses. At Quebec, where the great Wolfe achieved so much honour, the want of horses was complained of, and the picture of that great event shewed that the sailors were employed in dragging the guns.—[*Hear! hear!*]—The Noble Lord then went on to defend the Irish horses.—[*A laugh.*]—He then defended Government for not employing travelling carriages for the artillery, contending that they could not act in that country on account of the roads. With respect to the changes in the command, he could not see why they should be made a charge against Government, as he could furnish instances in which other Governments adopted a similar line of conduct. In the Low Countries the Chief Command had been changed three or four times within forty-eight hours. He did not mean to say that it was any particular advantage to make these changes.—[*A laugh.*]—The supercession of Sir Arthur Wellesley did not arise from any doubt of the abilities of that gallant Officer—he believed that the country would bear testimony to them. The choice was made on public grounds, but there was a strong confidence in the excellent judgment of Sir Hew Dalrymple, both from his intercourse with Spain, and his experience, and connections with General Castanos and the leading men in Spain. The country too, he had reason to think, was satisfied with the

arrangement. The Noble Lord then concluded with stating, that the question was to be considered solely on military grounds. He thought no man would be rash enough to set his judgment against that of the military. He then moved the previous question upon the first motion, intending to take the sense of the House upon the second question of the Noble Lord.

General TARLETON wholly disapproved of the Convention, which had disgusted Spain and Portugal, and covered England with shame. He totally disagreed with the Court of Inquiry as to the opinion that the French could pass the Tagus; and was astonished that the Board could have admitted such a plea. The Tagus was one of the most rapid rivers and four miles broad at Lisbon. He blamed the instructions given to the superior Officers to consult an inferior Officer, on all occasions, as indecent, and also censured the rage for a change of Commanders, which the Ministers had evinced. But the Noble Lord, in justification of this, had mentioned a similar case in the armies of Austria. The Noble Lord, however, did not follow this up by saying that, owing to this circumstance, the Austrians had made a successful campaign. He thought the conduct of Ministers reprehensible in various points of view in the management of this expedition, and would therefore vote for the motion of the Noble Lord near him.

Sir A. WELLESLEY said that the Junta of Gallicia informed him that they did not want men, and that the greatest service he could perform would be the expulsion of the French from Portugal. He had indeed received a sort of requisition from the Junta of Asturias, to drive the French from St. Andero, but it was not of a nature to induce him to relinquish the expedition to Portugal. Admiral Cotton had sent word that there were only 4000 French in Lisbon. He was then ordered to go to the Tagus, and when the equipment of the army for this object was considered, it might be regarded as sufficient. Such an ample equipment was not wanted for this end as was required for that which was afterwards commenced. When he sailed from Cork, he did not know where he was to land, or whether he could land at all; it was considered, therefore, that the horses would suffer considerably from being kept on board, and on this account those of an inferior kind were chosen, which, under all the circumstances, might be best fitted for such a service. On the arrival of Sir H. Burrrard he had no longer the command, but had Sir Harry adopted the plan he recommended to him, the debate of this night would never have occurred. As to the change of Commanders in the course of a campaign, it might be done without injury; but he did not think that the command ought to be changed in the middle of expeditions. His opinion was, that had the French been closely followed after their defeat at Vimiera, they could not have crossed the Tagus. In considering the propriety of the Convention, the Generals had not adverted to the want of horses, artillery, &c. but to the difficulty of supplying the army with provisions. But after the battle of Vimiera, the French being allowed to take up their strong positions, it would have taken some time to have dislodged them, and to have laid siege to the forts. He thought they then could have crossed the Tagus, and under such circumstances, he did not think that it was disgraceful to let the enemy embark. As for the Court of Inquiry, which was said to have been formed out of friendship to him, it was a Court before which no Officer would wish to be tried. It had been a source of injustice to him: and with regard to the letter sent by his Noble Friend, desiring his superior Officers to consult him particularly,—had he been aware of such a document, he would have felt his situation very uncomfortable. But he must say, that from the first hour these Officers landed, he knew that he was not in possession of their confidence. He certainly differed from them in opinion, though he had done every thing to forward their wishes. In a civil office, when an inferior differed from his superior, he ought to resign; but in a military one, he thought it the duty of an inferior to assist his Commander in that way which to that superior might appear most eligible. This was the principle on which he had always acted, and on which he should ever continue to act.

Mr. WINDHAM thought that while the Hon. General was successful in vindicating his own conduct, he failed in his defence of Ministers. The expedition, it clearly appeared, was without design. Ministers wanted to maintain their vigorous character, and on they went, like an over-drove ox, to Portugal, running against any object that presented itself, and like that beast too, with their eyes shut; and what was the result? Why, this far-famed Convention. There was one argument about the horses which appeared to him rather whimsical than conclusive; it had been admitted that the horses were not the best, and was argued, by way of consolation, now that they were gone, they were no great loss, and that certainly they were a less loss than the loss of better horses would have been: —why, so far they were agreed; but in general, the ordinary possessions of a man were not preferred according to an estimate of this kind; a man did not prefer a bad coat, or a bad house, or a bad horse, because the loss would be in that case the less. They did not, in general, hear people rejecting good proffers, by crying out, "Oh! for God's sake, don't give me such good things, for what shall I do if I lose them?" The loss of a good ship was a greater loss than the loss of a bad one, but then a good ship was less likely to be lost than a bad one, so that he was not one of those who could easily persuade himself that there was any very commendable economy in sending out horses that could not survive the service, in order to save those who would have been able to have gone through it effectually; but would the Noble Lord say, that if there had been a sufficient force of cavalry in the field on the 21st, to follow up the victory we had gained, to take advantage of a discomfited enemy, retreating in the greatest confusion and disorder—will the Noble Lord pretend to say, that the enemy could have escaped as they had done? Was not the very want of cavalry the cause of our not improving the victory we had gained? The Noble Lord had indeed told them, very gravely, that there were many victories we had gained without the help of cavalry. No doubt there were—that of Trafalgar for instance *(A laugh.)* With respect to the successive superseding of Commanders, he could not imagine a better receipt for sowing dissention and obviating all unity of design, than disturbing one Commanding Officer in the midst of his operations, and substituting another in his place, to whom his plans could not be so familiar. Really the want of foresight in this was of a piece with the same blind rashness that had planned the subsequent operations, when Sir J. Moore's gallant army were sent into Spain with no other object than to march out again. But one of the most unfortunate consequences of this evil was, that it left the enemy a pretence to vaunt it over us—*(Hear!)*—an evil not to be compensated for by the most solid advantages. At Maida, what did we obtain? Nothing—nothing but glory, which was worth every thing else—*(Hear! hear!)*—But in this case, though we fought as well, the same credit would not be given us. They who came to blows with us would remember: but the people of France would not listen to our talk merely. They would ask us what *game* we had brought home with us; they would bid us shew what we had *bagged—(a laugh)*—and if we could produce nothing, they would set down our vaunted success at precisely the same value. He did, upon the whole, think this business a most fatal error—a misconduct on the part of Ministers of the most serious nature, and that, particularly at such an awful crisis, called loudly for the censure of Parliament and the Country.

The CHANCELLOR of the EXCHEQUER defended the conduct of his Majesty's Ministers, and complained of the unfairness of imputing to them as errors what was the result of what they could have no interference in. He cited the Convention of Cairo and Alexandria, as somewhat similar in its nature to that of Cintra, which he defended generally, however objectionable it might be in some of its minor points. He expressed his determination to vote for the previous question.

Mr. WHITBREAD declared that it was his intention to trouble the House but with a very few observations. Indeed it was unnecessary; for notwithstanding the able speech of the gallant General (Wellesley), the lucid harangue of the Noble Lord (Castlereagh), and the ingenious remarks of the Right Hon. the Chancellor of the Exchequer, the eloquent and able

charge of his Noble Friend had met with a defence so feeble as to leave him in perfect possession of the field. There was indeed remaining one literary and political warrior, who might yet perchance retrieve the fortunes of the day.—*(A laugh.)*—The Noble Lord had stated his opinion, that the Convention of Cintra was not agreeable to his feelings, when he had received the first intimation of its conclusion; yet he was accessary to the answer to the citizens of London, which the servants of the Crown had put into the mouth of their Sovereign. He has not condescended to explain in what way even he can reconcile such contradictory conduct. The gallant General, too (Wellesley), has this night, in an impressive speech stated to us, that no Convention would have taken place, if he had been allowed to follow up his plan of operations—an opinion in which he (Mr. W.) most heartily coincided; yet still that officer was determined not to support the proposition of my Noble Friend, that that event which he, if permitted, would have prevented, had disappointed the hopes and expectations of the country." The Right Hon. Gentleman (Mr. Perceval) has gone farther, he has thought that the Convention was justified; and because such was his opinion, he has called upon this House not to confirm that judgment which their Sovereign had previously pronounced. The distressing result seems not to have produced the natural effect on the mind of the Noble Lord (Castlereagh). On the contrary, for the first time in his life, he was found light and ludicrous on subjects the most momentous and heart-rending.—The public had before them a great stake. By whom was it thrown away? Was it by Sir Arthur, Sir Harry, or Sir Hew? or was it by his Majesty's Ministers? *(Hear, hear!)* Guilt has attached in some part, and the public indignation has been consequently excited. That indignation must have a direction—the people will not be satisfied without fixing it on one point or the other. Forsooth, a Court of Inquiry was appointed; that was, in other words, what the public called a Court of Screen. Its decision has been in favour of the Officers. Sir Arthur has been declared blameless, zealous, and firm. Sir Harry has been declared blameless, zealous, and firm. Sir Hew also. Yet still blame has existed somewhere. To whom, by that decision, is it imputable, but to the Ministers of the Crown? *(Hear, hear!)* But the Learned Chancellor of the Exchequer has found, in his own ingenuity, a defence for himself and his colleagues. Sir A. Wellesley, said he, has said, that if his plan was followed up, he would have expelled the French from Portugal. This, at least, proves, that the means which Ministers afforded to him were fully sufficient to the object. But the Learned Gentleman forgot that the gallant General had broadly stated, that if he had been provided, in the battle of the 21st of August, with a sufficiency of cavalry, there then would have existed no excuse for a Convention. Here then was the charge of failure and of disgrace brought back to his own shoulders by his own authority. *(Hear, hear!)* His Noble Friend (Castlereagh) however, was a little exaggerated in his dislike of this Convention—still he recommended the firing of the Tower guns, for the ratification of a most disgraceful compact. But the Noble Lord has hit upon an admirable excuse, in his own inability to give a military opinion. Let the country form its own comment. When, at a time, to speak no more of it, it was opposed to Bonaparte, it had a Military Secretary, whose principal point in defence for the failure of his military schemes, was simply, that he could not give a military opinion.—*(Hear! Hear!)*—Where can the Noble Lord find an excuse for the rapid and unexplained supersession of the General Officers commanding? Was it that they had selected officers to supersede Sir A. Wellesley in the supreme command, under whom he had previously served, and who entertained the high and merited opinion of his capacity and services? No—there was no such palliation for his Majesty's Ministers. But if the public ser- [illegible] why did the King's Government extend it [illegible] without any seeming cause? Why was it [illegible] pose Sir H. Burrard and Sir H. Dal- [illegible] gallant officers and the interests of the [illegible] characters he would not speak, but he [illegible] pretensions of those that were depart-

ed. The *apotheosis* of the lamented Moore had taken place, and of him he would say, that throughout the whole of the heroic army of Britain, there could not be found any officer with claims to distinguished command greater than his. Why then was he not allowed to assume that lead of which the gallant Wellesley was deprived? The gallant General opposite (Wellesley) would excuse him, he trusted, for the opinion that he formed, when he believed, that during the whole of his enterprising life, that Officer never struggled so unsuccessfully with difficulties, as in his endeavour to march to the defence of the Noble Lord with regard to those miserable horses. Indeed, the Noble Secretary had made a most diversified effort, but to little purpose. In shewing off these poor beasts, he reminded him of a hackneyman's servant in his smock frock endeavouring to make his galled jades prance. There was certainly one limit to his unqualified panegyric, as the Noble Lord did not go quite the length of praising a dead horse. *(Continued laughter).* But what but that downright fatality which seemed to mar all the efforts of the Executive Government could have induced them, at such a conjuncture in the concerns and hopes of the world, to interfere with their meddling nonsense about command? *(Hear! Hear!)* Was there not something, however, more than met the eye? What, he would ask, was meant by including in the instructions of Sir H. Dalrymple, that he was appointed for *the present?* The Noble Lord has, indeed, referred to precedents for superseding Generals. But what are they? He has attempted to justify the conduct of his Administration upon the base and miserable policy of Austrian military councils—councils which so often cramped the exertions of the Archduke Charles—councils which teemed with treachery, to whose corrupt and baneful influence prostrate Austria, and enslaved Europe, might fairly attribute their forlorn condition—councils which led to the disastrous, but decisive victory of Jena, to the recapture of Madrid, and the exclusion of Great Britain from almost every part of the Continent of Europe. Yet these are the precedents conjured up in his own vindication by a Military Secretary, who at the same time has professed that he cannot give a military opinion *(Hear! hear!)*. Of the Spanish campaign he would not then speak, but he could not sit down without impressing on the House the necessity of inquiring into those causes by which a gallant army, after unprecedented efforts of valour, patience, and endurance, were obliged to terminate a campaign in a victory, from which, in the words of General Hope, no useful consequence could follow.

Mr. CANNING confessed he was of a different opinion from every individual who had expressed their sentiments in the course of the night. He was of opinion that the Convention of Egypt was no excuse for that of Cintra; in Egypt our Allies took a silent part, which was different in Portugal. He objected to it in principle, because it was necessary to do that, to which this plain answer would be given, "We have no right to do so."—He objected to it the more, because on examining the papers on the table, he found an article, in which he found French property was secured;—when we stood in the situation of conquerors, we should have appeared as conquerors, and not let it go down to posterity to doubt whether the French were driven out of the country by our arms or not. Another article which he objected to was, that which stipulated for the exchange of prisoners; another that which stipulated for the impunity of such Portuguese as were favourable to the French cause; on each of which he dilated with considerable force. The remainder of the Convention, he said, was of a military nature, and had been referred to that tribunal, which was, in the opinion of his Majesty's Ministers, the most competent to decide upon it. Gentlemen asked, why it was not referred to a Court Martial? But the answer was manifest, because a Court Martial requires a specific charge to be brought; and he requested those who pressed for it, to consider with what propriety a charge could be urged against either of the Officers concerned in this transaction. He trusted that the discussion which had already taken place was final. With respect to the appointment of Sir Hew Dalrymple, if ever there was an appointment in which all the Ministers might be said to have

concurred, it was his; and if ever there was one made out upon sincere public grounds, it was that of Sir Hew Dalrymple. He was entirely unacquainted with him, he had never seen his face—[*Hear! hear!*]—he was known to his Majesty's Government by his correspondence from Spain, and was selected by them as one who was acquainted with the circumstances of that country. He should vote for the previous question, not because he objected to the principles set forth in the motion, but because it was not the practice of that House to insert barren truths upon its Journals, from which no practical result could follow. The Right Hon. Member concluded with expressing his determination to vote for the previous question.

Mr. YORKE defended the Convention. Indeed after all the General Officers had expresed their approbation of it, he could not see upon what ground he could disapprove of it.

General FERGUSSON was aware that many General Officers of great eminence had approved of this Convention. He was not of rank to be consulted upon it; but if he had been so consulted, he had no hesitation in saying, that it should have met his decided negative.

Mr. WARD supported the motion on the previous question.

After a reply for Lord H. PETTY, a division took place, when there appeared for the previous question, 203; against it, 153—Majority for Ministers, 50.—Adjourned at six o'clock.

[While in the lobby, Lord CASTLEREAGH requested his friends not to go away, least another division should take place.]

Wednesday, Feb. 23.

THE COMMANDER IN CHIEF.

Col. Hamilton was examined respecting the conversations which passed between him and Capt. Sandon on the subject of the note. He had desired Capt. Sandon to take care of the note; and when the Captain said he had destroyed it, he told him he had acted very wrong, and that serious consequences would result from it. He believed that the note was written by the Duke of York. Witness copied the note by the desire of Mr. Adam. Col. Hamilton then stated the particulars of the conversation between Capt. Sandon and himself at Portsmouth, which has already appeared in evidence. There was no addition of importance.

Mrs. Clarke was then called in.—On the day the separation with the Duke of York was announced to her, she received two letters, one written by his Royal Highness, and the other by Mr. Greenwood, which the Duke copied and sent to her. Mrs. Favourite, her housekeeper, had once used her name, at which she was very angry. Mrs. Favourite had in her evidence told several stories about her as well as of Mr. Ellis. Witness had been accustomed to pin up to her bed-curtains a list of persons who wanted promotion, which list his Royal Highness read and afterwards put in his pocket-book. She saw it again when he opened the book to look at other promotions and observed the names of such as had been attended to marked out with a pen. She was quite sure the Duke read the list; for he said to her he would do them one by one, by degrees, but some time must intervene between each. The servants might have seen the list. Witness had never lived with Mr. Ogilvie. She became acquainted with him about the time she went to live in Gloucester-place. She was examined as to Ogilvie's bankruptcy, bus she then lived with the Duke unknown to the world. Gen. Clavering had asked Ogilvie whether he would speak against her character, and said he had been instigated to it by Mr. Lowten—(*Hear! hear!*)—Witness had received several notes from the Duke since the separation.

Two notes were then read. The first merely stated—"*I have inclosed the money which you wanted for your journey.*" The second was—"*I do not know what you mean. I never authorised any body to plague or disturb you, and you may be perfectly easy on that score.*"

Mrs. Clarke's examination continued.—She could not say whether his Royal Highness had talked about military promotions in the presence of any third person; he never minded what he said before Miss Taylor, for he was very fond of her.—(*A laugh.*)—Mrs Clarke then withdrew.

After *Col. Hamilton*, *Mr. Harrison*, and *Lord Folkstone* had answered several unimportant questions,

The Rev. *Mr. Ellis* was called.—He proved that Mrs. Favourite had lived servant with him under the name of Farquhar, for two years. Mrs. Clarke gave her a character in the name of Farquhar, and frequently called upon her when in his service: they seemed very familiar. Mrs. Farquhar said her mother lived in Tavistock-place. She called upon witness, and told him she had declined mentioning his place of residence, but did not tell him that she had described him as a carpenter.

Mrs. Favourite being called to the bar, was identified by Mr. Ellis.—Mrs. Favourite said, she had described him as a carpenter, from motives of delicacy, as she did not think it proper to bring forward a clergyman at that bar.—(*A laugh.*)—Witness had once taken the name of Farquhar, by Mrs. Clarke's permission, as it would obtain her more respect. Her father's name was Favourite. Her parents were dead. She is not related to Mrs. Clarke. She had left her husband, because she discovered he had previously married another woman.

Mr. Greenwood was shewn the following letter from the Duke of York to Mrs. Clarke, which he said was a correct copy of the original:—

"*You must recollect that a circumstance has lately taken place which has led to a result that must necessarily incline me to an unfavourable opinion of your conduct. After the proof I have received, I owe it to my own character and situation not to recede from the resolution I have formed. An interview must be a painful task to both of us, and not to be desired by either—you will, therefore, excuse me if I must decline.*"

Several other short notes from the Duke to Mrs. Clarke were read: they merely stated that he could not afford her any assistance, and that he declined an interview altogether.

Mr. WARDLE proceeded to examine a niece of Nicholls, the baker, at Hampstead, at whose House Mrs. Clarke had lodged, in order to shew that he was altogether unworthy of credit; but the witness not being able to speak from her own knowledge, the evidence was not received.

Mr. Lowten, the Attorney, was next examined. He had been employed by Mr. Adam to make inquiries about Mrs. Clarke. He did not believe that Mrs. Clarke had raised money in the Duke's name. Witness knew the Rev. Wm. Williams, and had been told that he was insane. [*It will be recollected that this is the person who went to Mrs. Clarke, and advised her to go into the country, telling her that she should be protected there.*] Witness had not advised General Clavering on the subject of his appearing as an evidence, nor did he ask the General whether he had offered Mrs. Clarke a bribe: he should have thought it an impertinent question, as no General Officer was to be supposed capable of such conduct.—He had advised Gen. Clavering to call on Mr. Ogilvie.

Mr. Wilkinson, Agent to Mr. Lowten, had been employed to make inquiries concerning Mrs. Clarke, but did not know that she had raised money in the Duke of York's name.

Miss Mary Ann Taylor was next called. She repeated her former evidence respecting her dining with the Duke of York and Mrs. Clarke, when the Duke asked Mrs. Clarke how Col. French behaved to her. She underwent a long cross-examination by the Solicitor-General and Mr. Percival, as to this conversation, and as to her knowledge of her father's having gone by the name of Chance. She said she had never known him by any other name than that of Taylor.

By Mr. Percival.—Q. Is your father alive?—A. He is.

Q. Has not your mother been confined under an execution for debt in the Fleet prison? [The witness, much agitated, drew back from the bar, with these expressions—"My mother's misfortunes have nothing to do with the object of the present inquiry."] She was then recalled to the Bar and asked,

Q. Has not your mother been in custody for debt?

Witness—I appeal to the protection of the Chair.

Mr. WHARTON.—"It is my duty to call upon you for an answer to the last question."

After some moments the witness, in tears, replied—"Yes."

Q. How long was she confined?—A. Two years.

The witness was ordered to withdraw.

The CHANCELLOR of the EXCHEQUER stated, that Gentlemen opposite, when ready to depreciate his mode of examination, appeared to forget that the witness had *represented herself*, in her former examination, as the legitimate daughter of married parents, although it was now clear, by the imprisonment of her mother, that she never was married to the father of Miss Taylor.

Mr. WM. SMITH did dislike the tenor of the examination which was followed by the opposite side. It had in the previous part a tendency to cast imputations upon the character of the witness herself, but that having failed, her veracity was to be questioned, because she had the misfortune to be the offspring of an illicit connection. Her delicacy in endeavouring to conceal that circumstance, in his opinion, instead of weakening, strengthened her yet unshaken claims to credit.—*(Hear! hear!)*

Mr. WHITBREAD considered the question for the decision of the Committee was not, whether Miss Taylor's birth was respectable, but whether her testimony was creditable? *(Hear! hear!)* Besides, he believed the Right Honourable the Chancellor of the Exchequer had assumed more than the evidence would justify, when he asserted that Miss Taylor had *represented herself* to the Committee as the daughter of married parents.

(Her former evidence was then read, and it appeared that *no such statement was made by her!)*

Mr. WILLIAMS WYNNE said, it was not to be endured, that, because, from an amiable reluctance, the explanation of the witness did not run before decorum and sensibility, that, therefore, a suspicion was to be entertained of her veracity.

Mr. BARHAM.—Really this is an attempt to discredit a correct witness, not upon her own testimony, but upon the errors of her parents.—*(Hear! hear!)*

Mr. Dedric Smith, a brazier and tinman, knew the father of Miss Taylor; his name was Chance, but he had gone by the name of Taylor for fifteen years, nor was he aware that Miss Taylor ever knew that her father had gone by the name of Chance.

General NORTON was then called on by Mr. Yorke to give evidence, as a General Officer, to the superior state and discipline of the army under the auspices of the Duke of York, to what it had ever attained at any former period; also to the superior situation and comforts of the life of a soldier since the Duke of York was Commander in Chief. To the latter he bore ample testimony—but the point of discipline he was unwilling to yield, observing that we had good troops in Gen. Wolfe's time.

General FITZPATRICK said, that no one could recollect the state of the army before his Royal Highness came to the office of Commander in Chief, and since that period, without acknowledging that it was vastly improved. The notoriety of the fact was such as, in his humble opinion, to render any reference to General Officers wholly unnecessary.

Sir JAMES PULTENEY concurred in opinion with General Fitzpatrick.

Sir A. WELLESLEY and General GROSVENOR also bore testimony to the general services rendered to the army by the Commander in Chief.

Mr. PERCEVAL suggested, that as the evidence was now closed, and there would be no occasion to ask leave to sit again, a day might be fixed for taking the subject into consideration.

Mr. WHITBREAD thought that no unnecssary delay should take p ace; but still he submitted that the fixing the day would more properly belong to his Hon. Friend (Mr. Wardle) than to the Right Hon. Gentleman opposite.

Mr. PERCEVAL declared that he had no wish to take the nomination of the day out of the hands of the Hon. Member (Mr. Wardle).

Mr. WARDLE said, that Thursday or Friday se'nnight were equally agreeable to him.

Mr. WHARTON then left the Chair; the House resumed, and the Report was brought up, ordered to be printed, and the whole question was ordered to be taken into consideration on Thursday se'nnight.

Mr. C. W. WYNNE gave notice that immediately after the decision of the question he should bring forward his motion relative to General Clavering.

Adjourned at half past three o'clock.

Thursday, Feb. 23.

LETTER FROM THE DUKE OF YORK.

After a great deal of private business had been gone through, the SPEAKER addressed the House in the following terms:—"I have to acquaint the House, that since I came to the House I have received a letter from his Royal Highness the Duke of York, the contents of which relate to the Inquiry now pending before the Committee of the whole House. With the permission of the House, I shall read the letter."—The SPEAKER then read the letter, which was as follows:—

"*Horse Guards, Feb. 23, 1809.*

"*SIR,—I have waited with the greatest anxiety until the Committee appointed by the House of Commons to inquire into my conduct, as Commander in Chief of his Majesty's Army, had closed its examinations, and I now hope that it will not be deemed improper to address this letter, through you, to the House of Commons.*

"*I observe with the deepest concern, that in the course of this Inquiry, my name has been coupled with transactions the most criminal and disgraceful, and I must ever regret and lament that a connection should ever have existed, which has thus exposed my character and honour to public animadversion.*

"*With respect to my alledged offences, connected with the discharge of my official duties, I do, in the most solemn manner, as a Prince, distinctly assert my innocence, not only by denying all corrupt participation in any of the infamous transactions which have appeared in evidence at the Bar of the House of Commons, or any connivance at their existence, but also the slightest knowledge or suspicion that they existed at all.*

"*My consciousness of innocence leads me confidently to hope that the House of Commons will not, upon such evidence as they have heard, adopt any proceeding prejudicial to my honour and character; but if, on such testimony as has been adduced against me, the House of Commons can think my innocence questionable, I claim of their justice, that I shall not be condemned without trial, or be deprived of the benefit and protection which is afforded to every British Subject, by those sanctions under which alone evidence is received in the ordinary administration of the law.—I am, Sir, your's,*

"*FREDERICK.*"

"*To the Speaker of the House of Commons.*"

The letter was ordered to lie on the table.

INDIA COMPANY.

Mr. DUNDAS moved, that a Committee be appointed to examine into the present state of the Affairs of the East India Company. It would be proper, he said, to appoint proper persons intimately acquainted with the affairs of India, and therefore, with two exceptions, he should propose the revival of the former Committee.

Mr. CREVEY observed that the revival of such a Committee he must protest against. The most important points in Asiatic policy were to be considered—the destructive wars,—the system of despotism introduced by the Marquis Wellesley, as well as the conduct of the officers employed,—and yet the Committee appointed to inquire into these matters, where the very persons whose conduct might be called in question, and they were thus to sit in judgment upon themselves. Never was there such a mockery before.

Sir A. WELLESLEY said, that when the conduct of his Noble Relation came before the Committee, the most rigid in-

quiry should have his cordial support. The extension of our dominions in the East, he was prepared to prove, had not been produced by aggression on our part, or by any view of aggrandizement.

Lord A. HAMILTON thought that the oppressions of Bonaparte in Europe were not greater or more unjustifiable than those practised by the British Government in India.

Mr. WM. SMITH perfectly agreed with Mr. Creevey. The objections of his Hon. Friend were not to the individuals, but to the official situations they filled, which precluded impartiality. Mr. Smith said, that it had always been his opinion that the great mixture of Officers of the Crown with Members of this House improperly influenced the decisions of Parliament.

Mr. WILBERFORCE dissented altogether from the principles laid down by the Honourable Gentleman, as to Officers of the Crown holding seats. It would drive them from the privilege of defending in public the measures they had devised in private, and leave others to explain what they best understood.

Mr. WHITBREAD confessed, that he distrusted all public men, be they who they may. He totally disapproved of the names to be on the present Committee. Sir A. Wellesley had plainly incapacitated himself for being on it, by stating that he could justify all the proceedings of his Noble Relation in India. He objected to the War Secretary also, and to the Chancellor of the Exchequer; and as to the India Directors proposed, they ought rather to be examined as witnesses than preside as judges. Sir J. Anstruther, another Member, it was notorious, had made up his mind on the business long ago.

The Committee, however, was appointed, to consist of 21 Members, who are to report to the House; and a motion of Mr. Creevey, that a Copy of the Exposition of the Affairs of the Company by the last Committee, should be laid on the table, was negatived, Sir C. Grant observing, that it was no use to produce it, as the public already knew the information contained in it, that the Company were minus 12,000,000 sterling.—Adjourned.

Friday, Feb. 24.

THE COMMANDER IN CHIEF.

Mr. WHITBREAD took blame to himself that he had not moved that time should be taken to consider of the best mode of proceeding, when the Duke of York's Letter was ordered to lie on the table. That Letter, it appeared to him, struck at the root of the privileges of the House. His Royal Highness might as well have written a letter to the House before any proceedings had taken place, saying that he was perfectly innocent, and therefore that they ought not to proceed, as after they had gone into the Inquiry to suggest to them what ought to be the mode of proceeding they should adopt. He should, on an after day, call the attention of the House to this subject: at present he only protested against the influence which that Letter might be supposed to have on the opinion of any Member of that House.

Mr. PERCEVAL did not think that the Letter was any attack on the privileges of the House. His Royal Highness merely asserted his innocence, and requested, should any doubt remain after such assertion, that he might be allowed to go to trial, without any further proceedings against him. This mode of addressing the House was certainly not common, but he saw nothing unconstitutional or improper in it.

Mr. Perceval having informed the House that the Minutes could not be printed sooner than Wednesday, the discussion on the Charges against the Duke of York was therefore postponed till Wednesday se'nnight. Mr. Perceval also stated, that a Prosecution had been commenced by the Attorney-General against Mr. Watson the banker, Messrs. Pollman and Keylock, and a Mrs. Hervey, in consequence of an advertisement which had appeared for the disposal of an appointment under Government. Messrs. Pollman and Keylock had boasted of being the agents of the Duke of Portland. Government were taking measures to expose and punish such illegal practices.

CAMPAIGN IN SPAIN.

Mr. PONSONBY brought forward his promised motion—"That it is indispensably necessary for the House to institute an inquiry into the causes, conduct, and event, of the Campaign in Spain."—The Right Hon. Member prefaced this motion by entering into a history of the late unfortunate events in Spain, of which the public are already pretty well informed; and contended, that having failed in Holland, in Germany, and now in Spain, though our armies had obtained glory, yet the military character of the country was gone for ever, for no Continental State can ever look to us for aid again. It was necessary that the country should know why assistance was not sent to the Spaniards in time, before the French accumulated an overwhelming force. It was necessary to learn why Sir John Moore was sent when hope was gone, merely that he should be compelled to make a calamitous retreat. It was necessary to inquire why that gallant Officer was idly kept in Portugal for six weeks, so that when he reached Spain there was no Spanish force to join. It was proper to learn why Sir David Baird's army was not permitted at first to land at Corunna, and when landed, it was without money or provisions. All these circumstances demand inquiry; it was equally necessary for the honour and interest of the country, for the living as well as the dead.

Lord CASTLEREAGH contended in reply, that there was no ground for enquiry. Ministers had already given every information relative to the campaign in Spain which had been required. As to the charge of delay in affording assistance to the patriots, no time had been lost, as soon as the wishes of Spain were ascertained. Nearly 50,000 men had been sent into the peninsula, and the plan of operations was marked out by the Central Junta, and agreed to by the Marquis Romana and Gen. Moore. The badness of the weather and roads had occasioned considerable delay, and he allowed that the people of the North of Spain were more languid than the other provinces. Gen. Moore's diversion had however been of great utility, as it had drawn off the force of the French from the South, and given it repose for six weeks at least. The Noble Lord denied that the military character of the country was at all injured by the late retreat, and concluded his speech by again asserting that there was no occasion for enquiry.

Mr. TIERNEY believed that there were few men in England who would have the hardihood to make such an assertion as the Noble Lord. A British army had been compelled to take to their ships under the very muzzles of the enemy's guns, and this disgrace was occasioned by its having been directed by an Administration, whose imbecility he could not think of but with indignation and contempt. He would advise the Noble Lord not to set himself up as the military opponent of Bonaparte, who, though called a Corsican, an usurper, and a tyrant, had still some skill in military matters, though the agents of Government had so often, during the late campaign, foretold his ruin and destruction. Bonaparte had promised to crown his brother in Spain, and to drive the English out of the Peninsula, and he had done so, notwithstanding the great vigour of the Noble Lord and his colleagues. Notwithstanding what Ministers had said, we had lost 8 or 10,000 men in Spain, blown up the ammunition, destroyed 3 or 400 waggons, staved the casks with the dollars, and abandoned a part of our artillery. From the 28th of December, to the arrival of Sir J. Moore at Corunna, there was a scene of woe never before witnessed. The Officers returned from this fatal expedition, in the detail of their sufferings, mixed execrations on those who had been the cause of them! Ministers were like the Spaniards, they wanted a head, for nobody would contend that the Duke of Portland was the head. The Hon. Gentleman concluded by hoping to God that the House would comply with the wishes of the people, and cause an inquiry into the fatal campaign in Spain.

Gen STEWART denied that our loss in Spain was much more than 5000 men.

Lord MILTON supported the motion for inquiry, and contended that had the failures at Ferrol, Dunkirk, and the Helder, been inquired into, the late disasters would never have occurred.

Mr. CANNING said that the Hon. Gentleman (Mr. Tierney) had made many bold assertions, but he had not confined himself by any means to truth. Sir John Moore had used his own

discretion both in his march to Portugal and in his subsequent advances and retreat; that gallant Officer did not act on slight grounds. Ministers had been accused of not having ascertained the sentiments of the Spanish people, as to reforms in Church and State. To this accusation he pleaded guilty: they had nothing to do with those things. All he wanted was to stimulate them against France, and for which purpose he had no objection to an alliance with Monks, even though they marched under the protection of the Lady of the Pillar. Speculation about religious mysteries were best reserved for learned leisure.

Mr. WINDHAM said, that notwithstanding all the reverses in Spain, still Ministers told us that the Spaniards would persevere. They had been abandoned by our troops, and yet no vicissitude can shake their constancy. But the vices of the campaign were so gross, that at no time was there ground for hope. If we could not send an army able to protect itself, we should have sent none at all. Ministers had totally failed in their defence.

The question being called for, there appeared for it 127, against it 220—majority 93. At half-past three the House adjourned till Monday.

[During the debate, the alarm of fire was given. It turned out to be the reflection on the windows from the flames of Drury-lane Theatre. A motion to adjourn was proposed, but withdrawn, Mr. Sheridan having observed—"Whatever may be the extent of the calamity with which I have been made acquainted this moment, let not the business of the Nation be delayed on that account."]

TUESDAY'S LONDON GAZETTE.

This Gazette contains an account of the capture of the French privateer la Fortune, of 14 guns, and 58 men, by the Beagle, Capt. Newcombe.

BANKRUPTS.

A. Hodsoll, Sheerness, linen-draper, Feb. 25, March 4, April 4, at eleven, at Guildhall. Attornies, Messrs. Bourdillon and Hewitt, Friday-street.

C. Knowlton, Bristol, linen-draper, Feb. 25, March 4, April 4, at eleven, at Guildhall. Attorney, Mr. Syddall, Aldersgate street.

A. Clarke, Newport, tanner, Feb. 25, March 4, April 4, at twelve, at Guildhall. Attornies, Messrs. Gatty and Haddon, Angel-court.

J. Phipps, St. John's-lane, plumber, Feb. 25, March 4, April 4, at twelve, at Guildhall. Attorney, Mr. West, Charterhouse-street.

Susannah and Thomas Bailey, Hanwell-heath, chandlers, Feb. 25, March 11, April 4, at ten, at Guildhall. Attorney, Mr. Benton, Union-street, Southwark.

T. Rice, Stroud, Gloucestershire, clothier, March 2, at five, March 29, April 4, at eleven, at the King's Arms, Stroud. Attornies, Messrs. Newman and Clarke, Stroud.

H. Lord, Manchester, dealer in cottin twist, March 6, 7, April 4, at three, at the New Exchange-buildings, Manchester. Attornies, Messrs. Sharpe and Co. Manchester.

J. Ingham, Great Lever, Lancashire, innkeeper, March 9, 10, April 4, at one, in the New Exchange, Manchester. Attorney, Mr. Cooke, Salford.

J. Mawdsley, Ormskirk, Lancashire, joiner, March 7, 8, April 4, at eleven, at the Wheat-sheaf, Ormskirk. Attornies, Messrs. Wright and Palmer, Ormskirk.

J. Gregory, Haverhill, Suffolk, baker, Feb. 23, at three, Feb. 24, at ten, April 4, at twelve, at the Bell, Haverhill. Attorney, Mr. Cutting, Bartlett's-buildings.

W. Hodson, Manchester, cotton-manufacturer, March 6, 8, April 4, at eleven, at the New Exchange-buildings, Manchester. Attornies, Messrs. Cowper and Low, Southampton-buildings.

W. Cawsill, Manchester, stone-mason, March 8, 9, April 4, at four, at the Dog, Manchester. Attornies, Messrs. Milne and Co. Manchester.

CERTIFICATES—MARCH 14.

R. Brindle, Leyland, Lancashire, bleacher.—S. Topp, Chadderton, Lancashire, manufacturer.—G. Laing, London, merchan.—J. Burnes, Liverpool, tailor.

SATURDAY'S LONDON GAZETTE.

BANKRUPTS.

L. Lord, Longsight, near Manchester, cotton-manufacturer, to surrender, March 10, 11, April 8, at two, at the Bridgewater Arms Inn, Manchester. Attorney, Mr. Partington, Manchester.

E. H. Broadfield, Kidderminster, Worcestershire, boat-builder, March 20, 21, April 8, at eleven, at the Stourport Inn, Worcester. Attorney, Mr. Hallen, Kidderminster.

J. Snell and J. Pinkham, Plymouth-Dock, ironmongers, March 10, 11, April 8, at eleven, at the Shakspeare Tavern, Birmingham. Attorney, Mr. Meredith, Birmingham.

C. Vine, Westbury, Witshire, tallow-chandler, March 16, 17, April 8, at eleven, at the George Inn, Trowbridge. Attorney, Mr. Williams, Trowbridge.

D. Cooper, Stockport, hat-manufacturer, March 9, 10, April 8, at eleven, at the Bell Inn, Leicester. Attornies, Messrs. Pares and Co. Leicester.

J. Gilpin, East Teignmouth, Devon, victualler, March 21, 21, April 8, at twelve, at the White Hart Inn, near Exeter. Attorney, Mr. Peacocke, Teignmouth.

J. Warrington, Newcastle, Staffordshire, butcher, March 15, 16, April 8, at eleven, at the Trentham Inn, Trentham. Attorney, Mr. Griffin, Tittenfor, Staffordshire.

W. Milburn, Clifton, Yorkshire, tanner, March 21, 22, April 18, at the Falcon Inn, York. Attorney, Mr. Fairbank, Manchester.

P. Mark, Plymouth-Dock, linen-draper, Feb. 28, March 11, April 8, at twelve, at Guildhall, London. Attorney, Mr. Adams, Old Jewry.

J. Garner, Thetford, hatter, March 10, 20, April 8, at three, at the Eagle Inn, Manchester. Attorney, Mr. Cheek, Manchester.

J. Jackson, Leicester, hosier, March 9, at five, 10, at ten, April 8, at eleven, at the Blue Bell, Leicester. Attorney, Mr. Burbidge, Leicester.

T. Valyer, Falmouth, butcher, March 20, 21, April 8, at eleven, at the Dolphin Tavern, Falmouth. Attorney, Mr. Tippet, Falmouth.

J. Ball, New Sarum, victualler, March 15, at three, 16, at ten, April 8, at five, at the White Hart Inn, New Sarum. Attornies, Messrs. Amor and Nichols, Southampton.

E. Palmer, Old Jewry, paper-hanger, March 4, 18, April 8, at ten, at Guildhall. Attornies, Messrs. Benbow and Hope, Lincoln's-Inn.

E. Roll, Red Lion-street, Spitalfields, baker, March 4, 7, April 8, at ten, at Guildhall. Attorney, Mr. Bond, East India Chambers, Leadenhall-street.

J. Clancy, Tottenham Court-road, provision-merchant, Feb. 28, March 11, April 8, at eleven, at Guildhall. Attorney, Mr. Shearman, Hart-street, Bloomsbury.

J. Prentis, Christchurch, Surrey, bricklayer, March 1, 4, April 8, at ten, at Guildhall. Attornies, Messrs. Westons, Fenchurch-street.

T. Hatton, Colford, Gloucestershire, mercer, March 22, 23, April 8, at eleven, at the King's Head, Colford. Attorney, Mr. James, Colford.

J. Jackson, Farnham, surgeon, Feb. 28, March 7, at twelve, April 8, at one, at Guildhall, London. Attorney, Mr. Pellatt, Ironmonger-Hall, Fenchurch-street.

J. Brooks, Sheffield, hardwareman, March 4, 11, April 8, at twelve, at Guildhall, London. Attorney, Mr. Battye, Chancery-lane.

W. Turnbull, Oxford-street, music-seller, Feb. 28, March 9, April 8, at one, at Guildhall. Attorney, Mr. Wm. Wood, Richmond-buildings, Soho.

PRICE OF STOCKS ON SATURDAY.
Consols.....67 3/8 | Red. Ann.....68 1/8

THE EXAMINER.

London, February 26.

Bonaparte cannot move but he shakes all Europe. He has returned to Paris, and this simple return has, as usual, raised a thousand rumours, all of them to his disadvantage of course, for in spite of past and present events, we seem to take a delight in being credulous and in fancying that he cannot go home like other men, without having some misfortune to call him there. It is said at one time that the Spaniards have been so truly enthusiastic as to beat him, but every body shakes his head at this: it is then said, that Austria is about to declare war, and that Count Metternich, her Ambassador at Paris, has left that city: this is a little more likely, but the time for Austrian as well as Spanish enthusiasm is gone by. People will not consider that Bonaparte has excellent Generals to spare and leave behind in Spain, and that affairs may look so well in that country that he has thought proper to return to his good city of Paris, to take his snuff and his coffee with a little repose. However, when one rumour comes forth, it has as great a rabble after it as my Lord Mayor; if Austria is bold, Russia must be bold, and therefore we hear of pacific overtures from Petersburgh and of pistols shot at the Grand Duke Constantine.

Now the Grand Duke, though an 'illustrious Personage,' is a very stupid debauchee, and is therefore universally despised; and as the Russians are but a half civilized nation, they may kill him as they did his father; but the fate of France and of England have nothing to do with the Grand Duke Constantine, and I need scarcely warn my readers against this host of reports, raised very probably by sharpers and jobbers, and always attendant on the movements of Napoleon.

As I have neither time nor room in the present Paper to comment on the Debate of Friday night respecting the Spanish Campaign, I can only hope to be able to enter on the subject next week. The Ministry had a majority of 93 on the occasion, no very powerful number for that vigorous body; and this majority would most likely have been as small as that on the Cintra Debate, had the proceedings of our army in Spain roused the popular indignation as forcibly as those in Portugal.

The least that can be said of the extraordinary Letter of the Duke of York to the Speaker, is that it can do his Royal Highness no possible service. I think I may borrow a phrase on a different occasion from our pastoral Attorney-General, who scorns to hurt any man's feelings or even to keep him in suspense for a day, and therefore I must be allowed to say that the "illustrious Personage" in question does seem to me to be "the weakest man that ever walked on earth without a keeper." Without meddling at all with the *evidence* on either side, every body knows that he has been living for years with a succession of prostitutes while we have been paying his debts, that he has been told over and over again of these women and their busy corruptions, in short that his *attention*, if he did not know them before, *has been absolutely forced*, and as his friends insist, been long directed to them, and yet he writes a Letter to the Head of the People's Representatives, solemnly asserting his innocence upon his honour as a Prince, and denying not only the whole evidence at the Bar, but any participation, or *knowledge*, *or even* suspicion, that such transactions existed at all. No wonder that the House did not know what to do when they received this Letter, and that almost a dead silence followed its perusal. What! does his Royal Highness flatly contradict all the statements of his Honourable Friends respecting the exertions he has been making so long to do away these corruptions? Did he see nothing of what he was opposing, or did he labour against them with the united industry and blindness of a mill-horse, that sees nothing and knows nothing of what it really accomplishes? Why, Major Hogan told him of these things long ago, and what was the consequence? He was so *astonished he could not speak a word*, and so he brought his action for libel, an action in which he knew that *nothing was to be proved but the mere publication*. Was he astonished at the novelty of the information, or at the novelty of its channel? Did he take no steps, besides that of bringing an action in which nothing was to be proved, to sift the truth of the Major's intelligence? No: the Major told him of these things, the newspapers told him of them, and the newspapers heard from him in return, but still he had no suspicion. Now setting aside all the evidence on the question before the House, and taking up the subject upon one point only, and that point acknowledged and *pleaded* by the Duke, is this extreme reliance on the honour of prostitutes and their companions a proof of his Royal Highness's excessive watchfulness as Commander in Chief and one of the Guardians of the public wealth and honour? Is this confidence in profligacy worthy of such an Officer of the State? He says that "*if* on such evidence the House *can* think his innocence *questionable*, he claims the justice of not being condemned without a trial, and the privilege of *every other* British subject to give evidence at the Bar, as in the ordinary administration of the law." If the House of Commons *can* think his innocence *questionable!*" The innocence of a man of bad habits is at all times something more than questionable, and his Royal Highness may be assured that his innocence is very questionable to the whole people as well as to their representatives. He protests his innocence by his "*honour as a Prince*." I have heard of the honour of a gentleman and of a man of worth, and thank God I am in the habit of enjoying the company of such persons, though they do not debauch in Gloucester Place, or drink wine out of glasses

that cost a guinea a piece, but I am at a loss to know what is the precise abstract signification of "*the honour of a Prince*," especially as a solemn oath. If His Royal Highness looks back to history, I am afraid that the honour of Princes will not flash on his face as vividly as the dishonour. If a Prince is a virtuous man, he may then swear by his honour as much as he pleases, *if he thinks it necessary*; but if he is not, instead of rendering his oaths sacred, what he calls his honour as a Prince adds only to the contemptibility of mere title, and to his dishonour as a good character. What has been said of wit may be better applied to virtue, though in either application it will be a good lesson to His Royal Highness:—

Wit makes the man, and want of it the fellow;
The rest is all but leather and prunella.

He claims "the justice of not being condemned without a trial, &c." Now, in the first place, the House have nothing to do with his trial, properly speaking; they merely examine whether there are grounds for it: and in the second place, who denies him this justice? Let him claim the trial, and see if his Peers will deny it him! He claims also the privilege of *every other* British subject—to give evidence at the Bar, as in the ordinary administration of the law." He may have it, no doubt, common justice and common charity grant it him: but what would have been said by this "illustrious Personage," who claims the privileges of *every other* subject, had his case been deemed *libellous* on the national character, and of course have deprived him of the liberty of bringing forward his evidence, as it deprives *every other* British subject accused of a libel? The "illustrious Personage" is shocked at the bare idea of being prevented from bringing forward his evidence. Was he as tenacious of "*the privilege of every other British subject*," when instead of prosecuting those whom he calls libellers in a civil court, and thus putting the case fairly to a trial of privileges and of truth, *he prosecuted them by the Crown Accuser, and by that method deprived them of the privilege of bringing forward their evidence?* I cannot swear by the honour of a Prince, but I cannot help feeling, by the honour of a lover of freedom and of truth, how truly blissful it is to hear this "illustrious Personage" talking of his anxiety, his delicate feelings and his British privileges of evidence, while he has been threatening us with, and is now holding over our heads a scourge that with neither truth for it's handle nor justice for it's end, may descend upon upon us whenever he pleases without the privilege on our parts of shewing we are right! Yet, after all, such a mind, such a man does this Letter exhibit, that had he endeavoured to ruin the Proprietors of this Paper by a more plausible method than he has pursued, they could not withhold from him their extreme pity under the present circumstances. He is contradicted, flatly contradicted, upon his own protestation, even by those statements about his open war with corruption, which went entirely to rescue his official character; he is convicted by his own acknowledged connexions of the greatest charge against his moral character; and to sum up the acme of his disgrace, he is flattered and fondled by the *Morning Post*. Of that infamous paper, which Mrs. Clarke selected for her military communications, and in which *other women* write panegyrics on the *beauty* and *virtue* of the Prince of Wales, I have received a notice from a Constant Reader; respecting a paragraph that appeared in it the other day so detestably obscene, that it cannot be even hinted in a public Print of the least decency. Our Correspondent, whose indignation has been universal among persons of the least gentlemanly feeling, may have since seen a notice in that Paper "*indignantly disclaiming*" the paragraph, and excusing it on account of the hurry of business. It was said of that vile debauchee, Colonel Chartres, that he was at least free from two vices, prodigality and *hypocrisy*, because his avarice exempted him from the first, and his *matchless impudence* from the second; but here are hypocrisy and matchless impudence at once. How came the paragraph in question to be *selected* during the hurry of business? How came it after being selected, to be given to the Printer, and by him read over of course syllable by syllable during the hurry of business, and after all revised and authorized for insertion during the hurry of business? But it is useless to talk of its paragraphs. Every number that issues out from it's press is a scandal at once to the literature, the honour, and the common decency of the country. Our Correspondent quotes the celebrated distich,

Immodest words admit of no defence,
For want of decency is want of sense.

But I know not whether it has been said before, that the Poet would have said with more truth,

Immodest words admit *but this* defence,
That want of decency is want of sense.

To this defence, the only reasonable one they have, I leave the *Morning Post* and it's patrons, and Heaven send them a good deliverance.

A word or two of other daily papers. Most of them have indignantly taken up the inseparable cause of morality and the country; one paper in particular, once reckoned a mere butterfly of the Court, has become so tired of the corrupt atmosphere it has breathed, that it has suddenly and entirely changed into a very formidable shape against corruption; but there is another, the *Times*, which after acquiring a reputation quite as sudden and still more solid, has condescended, *for reasons best known to itself*, but not unknown to others, to truckle to what it may consider as the prevailing interest, and to adopt a mode of conduct which those who had less respect than myself for it's general character, would call *sneaking*. But in whatever light it may chuse to represent itself, it has no right whatever to misrepresent others. It states in it's number of last Monday that on account of Major Hogan's pamphlet there have been a great number of printers and publishers under prosecution; and it adds these words—

"It was only from one of these that the original pamphlet sprung; the rest did no more than extract from or recommend it, and that upon the attested character of it's author, who was no sooner known to *have fled from his charge*, than every one of them retracted his praise of the work, allowed the falsity of his extracts, and was willing to maintain that the Duke of York's character stood as fair as if this individual arraignment of it had never been published."

Now this is not only a gross injustice towards Major Hogan, of whom it is not yet proved that he went to America for the sake of flying from his charge; but I can also affirm, as one of the persons now under prosecution, that it is a direct falsehood. So far from retracting any praise of Major Hogan's work, of which they are thus compelled to reiterate their opinion, the Proprietors have hitherto seen no reason whatever why they should not think even more highly of the truth of its statements: they do not, therefore, and cannot "allow the falsity of their extracts," and unless the Times Editor means to be ironical, they have no intention whatever "to maintain that the Duke of York's character stands as fair as if this individual arraignment of it had never been published." Character has a great influence with them in the present question: they place the Duke and Major Hogan side by side, they judge by what is known of both, and they have no hesitation in saying, after all that has been seen and heard, that until the law of evidence determines the question, the advantage of credit is on the side of the latter. Let the *Time*'s Editor or Proprietor act as he pleases. If the Examiner must go to prison, he will not add to the restraint of his confinement by unavailing narrowness of mind, or painful restrictions of conscience. This may be pride, but it is not the pride of place.

He, that has light within his own clear breast,
May sit i' the center, and enjoy bright day:
But he, that hides a dark soul and foul thoughts,
Benighted walks under the mid-day sun;
Himself is his own dungeon.

DESTRUCTION OF DRURY-LANE THEATRE.

Calamity brings with it a contrast of peculiar horror when it bursts forth in places devoted to gaiety. It was but on Thursday last that a crowded audience was witnessing the song and the dance at Drury-lane Theatre, and on the next night that immense edifice was almost reduced to ashes. Of course the *Examiner* need not make an apology to his readers for omitting his criticism on the new Opera, which was produced on Thursday. If the author is connected with the management, as he is said to be, he is of course one of the sufferers on the occasion, and the criticism is in every way useless and unseasonable. It is only to be hoped, that Mr. Bishop the composer has preserved the copies of his very scientific and impassioned music, so superior as it is to the theatrical composition of the day, and so promising to those who wish better days to the stage. The fire broke out next Brydges-street, in the Chinese lobby, where some shops for the sale of gloves, fruit, &c. were about to be opened to the public, and it is supposed that it must have been owing to the carelessness of the varnishers who were expediting their work at a late hour. In less than a quarter of an hour the fire spread in one unbroken flame over the whole of the immense pile extending from Brydges-street to Drury-lane; so that the pillar of fire was not less than 450 feet in breadth. In a very few minutes the whole of that part of the Theatre, together with the front row of boxes, were on fire, and the rapidity of the flames was such, that before twelve o'clock the whole of the interior of the Theatre was one blaze. The Theatre was at this time left to its fate, and the appearance was awfully and tremendously grand. Never before did we behold so immense a body of flame, and the occasional explosions that took place were awful in appearance beyond description. The interior was most completely destroyed by one o'clock. Some of the houses partially caught fire in Russel-street, but the engines, with a plentiful supply of water, continued to play on the houses contiguous to the Theatre. The advantage of having a great public structure of this kind in an insulated situation was apparent upon this awful and melancholy occasion. Although the engines could not arrest the progress of the flames in the Theatre, they were able to play upon the surrounding buildings, and thus saved the neighbourhood from destruction. In contemplation of fire, there was a reservoir full of water on the top of the building, which fell in. Of its quantity, and that supplied by the engines, some idea may be formed from the appearance of the streets in the vicinity. The whole line from the Theatre down to St. Clement's Church, which had been perfectly dry only an hour before, was scarcely passable at two o'clock, from the depth of water upon it. Neither the burning of Covent Garden Theatre, nor the late fire at St. James's Palace, can be compared in terrific grandeur with the fire of last night. The Thames appeared like a sheet of fire.

At three o'clock the flames had nearly subsided; that once magnificent structure presented to our view nothing but an immense heap of ruins; and at five o'clock the flames were completely subdued.

The building of this Theatre cost 200,000l. Of the immense property of all sorts, in scenery, machinery, dresses, decorations, music, instruments, plays, &c. of which nothing was saved, we can form no estimate. If the Theatre cost 200,000l. in building fifteen years ago, it cannot now be rebuilt for 300,000l. It was not insured, we understand, as some Papers state, for something more than 40,000l. but for the exact following sums:

Imperial	£.13,500
Hope	10,000
Eagle	6,500
British	5,000
	£. 35,000

THE OPERA.

TO THE EDITOR OF THE EXAMINER.

SIR,

Since I last wrote to you a new Ballet has been produced at this Theatre, under the title of *Don Quichotte ou les Noces de Gamache*; the subject of which is taken from the story of Basilius and Quiteria, in Cervantes' admirable novel. Mr. D'Egville has acted judiciously in borrowing his subject from the invention of another, as in doing so he has avoided any gross violation of rationality; it is only when he indulges his own fancy that he sends Turks on a voyage of discoveries, converts the Chinese into a nation of dancers, or makes young ladies fall in love with flower-pots. Yet even in borrowing from Cervantes he has so mangled the original, and so wretchedly contrived the action, that a person unacquainted with the novel would find the plot incomprehensible: this is the more re-

markable, as the wedding of *Camacho* is described so minutely and dramatically in Don Quixote, that if the story had been strictly abided by, an amusing Ballet must inevitably have been produced. The interest of the plot consists in the *protraction* of the *denouement*, yet Mr. D'Egville has hurried it on so rapidly, that in the course of an hour and a half which is occupied by the representation, not more than a minute is devoted to the story which gives title to it. The only recommendation which the Ballet possesses is the astonishing dancing of Vestris, Angiolini, and the Deshayes; the *Fandango* by the two former dancers is uncommonly lively and pleasing, and has the merit of novelty, which is a rare thing in an art that admits but of little variety. M. Deshayes seems to be reanimated by the arrival of Vestris; for some years, contented with being the first dancer, he has exerted himself but little to increase his celebrity, but now that a rival has appeared he has gained an acceleration of vigour and activity, and endeavours as ardently to surpass Vestris as Vestris does to surpass him.

The music of the ballet is very indifferent, and as usual, the production of M. Venua, whose plagiarisms are beyond all precedent; not contented with borrowing openly and confessedly from the works of composers, he contrives to compile a patch-work composition, by pilfering in small quantities from the works of Hayon, Beethoven, and the other great composers, and hopes by this means to escape detection. In such a theatre as this, it is disgraceful that a person of such mean talents should be employed; for as it is on account of music chiefly that the Opera deserves encouragement, the orchestra should be in every respect as complete as possible, and no composers employed but such as are of very superior ability.

In this ballet, as in all the late productions of Mr. D'Egville, the eyes of the audience are assaulted with the sight of his six unfortunate pupils, whose health and morals are sacrificed to the unfeeling brutality of a ballet-master, and to the more astonishing depravity of their parents. These victims to parental avarice and vanity are the very bane of places of public amusement, where one can scarcely go without their being intruded to disgust us with their unnatural distortions. I am at a loss to conceive what pleasure can be derived from the sight of so many painted skeletons, apparently exhausted with incessant fatigue, yet endeavouring with ogles and leers to look divine, while they remind one rather of a church-yard than of heaven. In addition to these shadows, Mr. D'Egville has a numerous troop of infants that are brought forward in the ballet, for no purpose that I can imagine, unless it is to shew that children can be kept awake till twelve or one o'clock, and that rouge will artificially supply the colour of which want of rest has deprived them.

H. R.

LAW.

COURT OF KING'S BENCH.

Monday, February 20.

THE KING v. JOHN CARRINGTON SMITH.

The Defendant was indicted for challenging Lord Ranelagh. The Defendant, a Major in the Army, was driving his gig along the Uxbridge Road, when he was passed by Lord Ranelagh, followed by his servant. As the latter rode by, Mr. Smith without any provocation gave him a cut or two with his whip, under the pretence that he impeded his passage. Lord Ranelagh finding that his servant had been ill used, rode back and requested Mr. Smith to stop and explain his conduct. Mr. Smith gave his Lordship the lie, adding—"Who do you think I am? Do you take me for a Cockney riding out on Sunday? I am a Major in his Majesty's service." Lord Ranelagh told him he should not have taken him either for a Major or a Gentleman, and then informed him of his own rank and title. Upon this, Mr. Smith gave him his card, and desired to meet him two hours from that time to give him satisfaction. His Lordship refused to do this, but the next day took out a warrant against Mr. S. to appear before the Magistrates, where he admitted that he had given the challenge, and said it was rather an extraordinary mode of answering it, to bring a Gentleman before a Magistrate.

Lord Ellenborough made some very just observations upon the very strange conduct of the Defendant, who, he said, was right in thinking that he ought not to be mistaken for a Cockney riding for a Sunday airing. The good citizens of London upon such occasions comported themselves with propriety and decorum, and did not violate the peace by insulting and beating the rest of his Majesty's subjects.

The Jury found the Defendant guilty, and he will receive his sentence next term.

THE KING v. BEAUMONT.

This was an information filed *ex officio* by his Majesty's Attorney-General, against the defendant for a libel. The libel was published in *The British Guardian*, in the form of a letter addressed to his Majesty." The substance of it went to charge his Majesty with unconstitutional Government, by taking his measures not from his Privy Councillors, his legal, responsible, and constitutionable advisers, but from a secret junta of hidden advisers, who were not responsible for their advice. It also contained other strictures in other parts of alledged improper conduct in the Royal Family. The libel being read, and the publication proved, Mr. Clifford, for the defendant, addressed the Jury, and contended, that the same doctrines had been published by Mr. Burke, the great Lord Chatham, and other eminent men in this country; and that no prosecution had ever been instituted against them, for exactly the same doctrines as was contained in the prefent paper. The Attorney-General having replied, the Jury found the defendant Guilty.

THE KING v. HORSEMAN.

This was an information for a libel upon the Duke of Sussex, published in a large hand-bill, lately placarded about the town, in which 20 guineas reward, and the Duke of Sussex, being printed in large letters, struck the view of the passengers. When the hand-bill was read through, it purported to state, that whereas an anonymous hand bill, signed a Yorkshireman, had been stuck up about town, twenty guineas reward would be given to any person who would prove the Duke of Sussex *not* to be the author of it.

Mr. Adolphus argued this was no libel against the Duke of Sussex, as it did not charge him with any offence of a criminal nature.

Lord Ellenborough told the Jury, that whatever held a man up to ridicule and contempt was a libel. Now strike out the name of the Duke of Sussex, and put in any of their own, and then ask themselves whether such a bill placarded about the streets was not making a man contemptible? The Jury found the defendant Guilty.

BIRTH.

On the 20th instant, at his house in Goodge-street, Tottenham-court-road, the Lady of Stephen Hoole, Esq of a son.

MARRIAGES.

On the 14th instant, at St. George's, Hanover-square, Capt. John Chitherowe, of the Guards, to Sarah, eldest daughter of General Burton, of Upper Brook-street.

On the 18th instant, at Sheffield, H. J. Key, Esq. of Abchurch-lane, to Mary, the third daughter of H. Tudor, Esq. of the above place.

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